

#### Members

Sen. Ron Alting, Chairperson  
Sen. Brandt Hershman  
Sen. James Lewis  
Sen. Timothy Lanane  
Rep. Clyde Kersey  
Rep. Dan Stevenson  
Rep. Cleo Duncan  
Rep. Timothy Neese



## RAIL CORRIDOR SAFETY COMMITTEE

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Authority: P.L. 114-2005

### MEETING MINUTES<sup>1</sup>

**Meeting Date:** August 19, 2008  
**Meeting Time:** 1:00 P.M.  
**Meeting Place:** State House, 200 W. Washington St.,  
Room 233  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Sen. Ron Alting, Chairperson; Sen. James Lewis; Rep. Dan Stevenson; Rep. Cleo Duncan.

**Members Absent:** Sen. Brandt Hershman; Sen. Timothy Lanane; Rep. Clyde Kersey; Rep. Timothy Neese.

The Chair, Senator Alting, called the meeting to order at 1:13 p.m. Committee members and the staff were introduced. The staff read the charge of the Committee.

Senator Alting called upon Mr. Mike Riley, Director of the Rail Division of the Indiana Department of Transportation (INDOT). Mr. Riley's presentation to the Committee is contained in Exhibit 1. This exhibit details the programs with the INDOT Rail Division. Mr. Riley said that the Office of Traffic Safety within the Rail Division receives about \$7.9 M in federal funds (Section 130). In FY 2007, there were 26 authorized projects within the Office of Traffic Safety.

Mr. Riley next addressed the Rail Grade Crossing Improvement Fund (RGCIF). This fund is supported through a state General Fund appropriation. For FY 2009, the appropriation is \$500,000. Local communities and railroads apply for these funds. Local communities use the RGCIF for crossing closures, signage, pavement markings, median barriers, illumination, and other safety improvements. Railroads use these funds for upgrading incandescent bulbs to LEDs, surface maintenance, sight obstruction removal, signage, and illumination. For FY 2008, communities applied for 23 projects and were awarded funds for 20 projects, while railroads

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

applied for 8 projects and were awarded funds for 8 projects.

Mr. Riley told the Committee that in CY 2008, through May there were 62 incidents at Indiana's public grade crossings, resulting in 11 fatalities. Regarding national data, Mr. Riley told the Committee that in CY 2007, Indiana had 161 collisions at rail grade crossings, ranking the state third nationally in this category, tied with California. For the same period, Indiana experienced 18 fatalities, ranking the state fifth nationally. Mr. Riley told the Committee that in CY 2007, Indiana experienced 48 injuries, ranking Indiana sixth nationally. With 6,039 public rail grade crossings, Mr. Riley said that Indiana ranks fifth nationally in this category.

In response to questions, Mr. Riley said that the Section 130 funds can be used to install lights and gates, but not lights without gates. Mr. Riley told the Committee the cost to install gates is \$250,000, with the cost for lights only ranging between \$175,000 and \$225,000. Commenting further, Mr. Riley said that one of the major causes of rail grade crossing accidents is when the driver goes around the gates. Mr. Riley closed his comments by telling the Committee that crossing accidents are trending downward.

Senator Altling called upon Mr. Bryan Glover, Supervisor of Community Affairs for CSX Railroad, to discuss Operation Lifesaver. Mr. Glover said that Operation Lifesaver is a national not-for-profit organization funded by the railroads, the Federal Railroad Administration (FRA), state departments of transportation, and others. Currently, there is no Indiana director of Operation Lifesaver, although one is expected by the first quarter of CY 2009. Mr. Glover told the Committee that the goals of Operation Lifesaver are to reduce fatalities at railroad grade crossings and trespassing. He said that the three ways to accomplish this are through (1) education, (2) engineering, and (3) enforcement. Mr. Glover said that there has been a 75% reduction nationally in grade crossing accidents since 1972. Mr. Glover told the Committee that enforcement is a huge deterrent to grade crossing accidents.

Mr. Rudy Husband, Director of Public Relations for Norfolk Southern Railroad, addressed the Committee on safety issues. Exhibit 2 contains Mr. Husband's prepared testimony. Mr. Husband told the Committee that Norfolk Southern is an active participant in TRANSCAER (TRANSportation Community Awareness and Emergency Response), which provides information to first responders involved in an emergency involving railroad equipment. In addition, Mr. Husband said that the lone rail industry representative on the U.S. Joint Terrorism Task Force is a Norfolk Southern police officer.

Mr. Husband told the Committee that Norfolk Southern has approximately 18,000 public grade crossings across its 22-state network, approximately 60% of which have active warning devices - gates, flashing lights, and/or bells. In addition, Norfolk Southern has 2,500 public grade crossings in Indiana, about 58% of which have active warning devices. According to Mr. Husband, last year, Norfolk Southern was involved in 444 highway-rail accidents at public and private crossings, and the result of these accidents was 41 fatalities and 135 injuries. However, the number of accidents decreased by 7.3% from 2006 and 10.8% from 2005.

Mr. Husband told the Committee that while Indiana ranks fifth out of Norfolk Southern's 22 states for track miles, it ranks first for grade crossing incidents, with 226 incidents between 2005 and 2007 resulting in 20 fatalities and 52 injuries. By comparison, Georgia, with 196 incidents over the same period, or 30 fewer than Indiana, is number two on the list, even though it has 250 more miles of track than Indiana and 200 more public crossings. However, Mr. Husband said that the number of incidents involving Norfolk Southern trains in Indiana is declining by 7.4% when comparing 2007 to 2006, and by 13.7% for the period 2005 to 2007.

Mr. Husband told the Committee that when it comes to grade crossing safety, Norfolk Southern focuses on the three E's: Education, Engineering, and Enforcement.

### Education

Norfolk Southern works closely with Operation Lifesaver to end collisions, deaths, and injuries at highway rail crossings and on railroad property.

### Engineering

The railroad works cooperatively with state transportation agencies to make crossings safer through upgrades to the existing warning devices.

### Enforcement

Whenever a crossing is identified that experiences consistent poor driving behavior, Norfolk Southern tries to coordinate with the local police to correct the situation. This may mean increased police patrols at the crossing to stop and issue citations to the violators. Sometimes, the railroad uses an "Officer on the Train" program in which the railroad will put an agent in the locomotive to catch people who are trying to beat the train at the crossing. When a violation occurs, the agent will radio ahead to a chase car.

Mr. Tom Fruechtenicht, representing the Indiana Rail Transportation Group (IRTG), a volunteer association of railroads, classes one, two, and three, many of which are shortline railroads, introduced Ms. Cathy Hale, CEO of Madison Railroad, a shortline railroad. Ms. Hale distributed two documents to the Committee: IRTG Shortline Issues (Exhibit 3) and IRTG Crossroads of American Railroading (Exhibit 4).

Ms. Hale told the Committee that the major issue facing shortline railroads is the Heavy Axle Load (HAL). The HAL applies to 286,000 lb. capacity rail cars. According to INDOT's Rail Plan, it will take \$100 M to address this challenge. Ms. Hale said that according to a study (Ten Year Needs of America's Shortline and Regional Railroads) funded by AASHTO, the American Association of State Transportation Officials, it will require \$10 B for states to upgrade for HAL. Ms. Hale said that the Industrial Rail Service Fund (IRSF) generates approximately \$1.2 M per year for Indiana's 38 shortline railroads. Indiana shortline railroads serve 62 counties, 15 exclusively served by shortlines. Ms. Hale said that shortlines predominantly serve rural areas. An estimated 50% are heavily dependent upon grain loadings. Ms. Hale said that none of the top three shortlines are presently capable of using the 286,000 lb. rail cars.

The Chair adjourned the meeting at 2:00 p.m.